

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2141

December 16, 2011

SUMMARY OF BILL: Establishes that several liability shall be used in civil actions governed by comparative fault, and that joint and several liability shall not apply, specifically, in instances where separate, independent negligent acts of more than one tortfeasor combine to cause a single indivisible injury and where injuries caused by the original tortfeasor are enhanced due to the efforts of third persons to render aid as a result of the injuries, as long as the enhanced harm arises from a risk that inheres in the effort to render aid. Provides an exception in cases involving the family purpose doctrine. Authorizes the allocation of fault to nonparties and to third parties, who are statutorily immune from suit unless the action is governed by the Tennessee Worker's Compensation Law. Establishes that defendants in tort actions shall only be severally liable for fault attributed to such defendant by the trier of fact, and such defendant shall not be held jointly liable for any damages.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumption:

- The application of several liability only in comparative fault actions will have no fiscal impact on the state trial or appellate courts.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/jdh